

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

703 KAR 5:200, Next-Generation Learners (Final) (Stakeholder feedback under separate cover)

Applicable Statute or Regulation:

KRS 158.6453, KRS 158.6451

Action Question:

Should the Kentucky Board of Education (KBE) give final approval to 703 KAR 5:200, Next-Generation Learners that defines the first component of Kentucky's new accountability system?

History/Background:

Existing Policy. Senate Bill 1 (SB1), passed by the 2009 Kentucky General Assembly, outlined significant changes to Kentucky's assessment and accountability program. SB1 requires a new state assessment and accountability system beginning in 2011-2012. The legislation establishes multiple assessment requirements, but charges the Kentucky Board of Education (KBE) to create the new accountability system to classify districts and schools.

Commissioner Terry Holliday and staff in the Kentucky Department of Education continue to use a concept paper outlining the proposed assessment and accountability model to facilitate critical discussions with educators, stakeholders and the KBE. The proposed model offers a balanced approach organized around the KBE's four strategic priorities of next-generation learners, professionals, support systems and schools/districts. The revised concept paper is included as Attachment A.

During the KBE Study Session on December 7, 2010 and the first review of regulatory language at the February 2011 KBE meeting, board members discussed details of the accountability model and stakeholder feedback. The KBE provided guidance and feedback on several areas of the accountability model. KBE recommended terms for school and district classifications; an increase in the weight for College Readiness at the middle school level; a bonus for distinguished student performance that does not mask or overcompensate for novice performance; use of a non-duplicated count for gap calculations; and externally validated career measures.

In January, the Office of Assessment and Accountability conducted data simulations for the proposed Next-Generation Learners component of the accountability model. The simulations used existing school and district student level information to model how school and district performance would be reported in the proposed accountability calculations. Results of the simulations were shared publicly and feedback received has helped further refine data calculations for Kentucky's future accountability model.

Since the first reading of 703 KAR 5:200 by the KBE, two substantive issues have emerged that require KBE discussion and consideration. The issues are:

1. inclusion of End-of-Course test results in student course grades; and
2. the basis for including students in accountability calculations.

New regulatory language for the first issue has been added to the proposed regulation in Section 3, Calculation for Reporting Categories, subsection 1(d), beginning on page 3, line 18. The regulation states that an End-of-Course test score may be used as twenty-five percent (25%) of a student's course grade. The language further requires that districts and school councils that do not include End-of-Course test results in grading policies or include the results for less than 25% of the student's course grade must submit a report justifying the policy to the Commissioner annually.

The regulatory language for the second issue is found in Section 3, Calculation for Reporting Categories, subsection 7, beginning on page 7, line 17. The proposed language states that students enrolled a full academic year (i.e., 100 instructional days) will be included in the accountability calculations for a school and district. This language has not changed between the two readings of the regulation by the KBE.

Both issues have generated recent discussion with stakeholders. Staff anticipates sharing a summary of feedback with the KBE that will be under separate cover prior to the April meeting.

Three non-substantive changes to the regulation are proposed. These changes either clarify or delete regulatory language from the review draft and are outlined below:

- Page 3, line 8— Replace “subtracted from” with “combined with” to improve mathematical terminology.
- Page 4, line 11— Replace “proficient” with “proficiency” to use terminology consistent with reporting.
- Page 7, beginning on line 14—Delete subsection (6)(e) to remove unnecessary language. Language was added with earlier version of the Next-Generation Learners model.

To assist with the KBE's review, all changes are in bold. New language is underlined and strikethroughs are used to indicate deletions.

Staff Recommendations and Rationale:

Staff recommends final approval of 703 KAR 5:200. The regulation has received extensive review by the board and stakeholders and fulfills requirements of Senate Bill 1.

Impact on Getting to Proficiency:

The new accountability system will establish how schools/districts are held responsible for assuring Kentucky's students are proficient and prepared for success.

Groups Consulted and Brief Summary of Responses:

The School Curriculum, Assessment and Accountability Council (SCAAC), District Assessment Coordinators, Educational Cooperatives and other commissioner's advisory groups (Closing the Achievement Gap, Parents and Principals) have discussed or will be discussing the concepts of the proposed model. Also, the Local Superintendents Advisory Council will review the regulation at its April meeting and generate a letter from that body relative to its feedback that will be sent to the board. All feedback will be shared with the board.

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Commissioner of Education**Date:**

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